



**Matthew G. Bevin**  
Governor

**FINANCE AND ADMINISTRATION CABINET**  
**DEPARTMENT OF REVENUE**

**William M. Landrum III**  
Secretary

501 HIGH STREET  
FRANKFORT, KENTUCKY 40601-2103  
Phone (502) 564-3226  
Fax (502) 564-3875  
[www.revenue.ky.gov](http://www.revenue.ky.gov)

**Daniel P. Bork**  
Commissioner

## **Frequently Asked Questions**

### **Disaster Relief Sales and Use Tax Refund**

1. Who is eligible for the refund?

Pursuant to KRS 139.519, passed in the 2012 General Assembly, a legal building owner with property located in a federally declared disaster area that has been damaged, in whole or in part, as a result of a disaster may qualify for a refund of the sales and use tax paid on the purchase of building materials used to either repair a building, or construct a new building in the disaster area to replace the building damaged or destroyed by the disaster.

2. How much of a refund may the building owner receive?

For each building the legal building owner may receive 100% of the Kentucky sales and use tax actually paid for building materials, reduced by the amount of vendor compensation allowed under KRS 139.570, up to a maximum of \$6,000.

3. What is the definition of building materials?

"Building materials" is defined in statute to mean all tangible personal property which enters into and becomes a permanent part of a building. The building materials for which the sales and use tax refund is sought shall be purchased for the purpose of repairing or constructing a building within a federally declared disaster area, either by the legal building owner, or by a contractor who is under contract with the legal building owner to incorporate the building materials into the building. The material must be purchased on or after the date of the disaster area declaration.

4. What constitutes a Federal Disaster Area?

"Disaster" is defined in statute to mean damage resulting from a flood, rain storm, ice storm, wind storm, tornado, hurricane, earthquake, or terrorist attack. A "federal disaster area" is also defined in statute to mean a county that has been declared a disaster by the President of the United States pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. secs. 5121 to 5206. [www.fema.gov](http://www.fema.gov)

5. What is required to receive the refund from the Department of Revenue?

The legal building owner must submit the following:

- a) an application for Kentucky Disaster Relief Sales & Use Tax Refund (Form 51A600);
- b) all information sharing agreements (Form 51A601) executed with all contractors, vendors and other related parties so that the department may verify expenditures and the Kentucky sales and use tax paid;
- c) an expenditure report (Form 51A602) detailing sales receipts, invoices. If a contractor was employed to do the repairs or replacement, the applicant must provide copies of its invoices for the building materials which went into performing the repairs or other construction;
- d) any photographs and other documents supporting the legal building owner's claim for refund, as requested by the department; and
- e) either
  - 1) documentation that the legal building owner is eligible for assistance from the Federal Emergency Management Agency, United States Department of Homeland Security, or,
  - 2) a copy of the insurance claim filed for verification of the building in the disaster area damaged by the disaster, in whole or in part;

The legal building owner must file all appropriate documentation within 3 years from the date the disaster area is declared a disaster and after completion of the building construction so that total eligible costs can be fully considered. In the case of an owner of multiple buildings, separate refund applications must be filed for each building.

An administrative regulation that addresses the refund process, 103 KAR 31:170, is available at the following link: <http://www.lrc.ky.gov/kar/TITLE103.HTM>

6. Where can I obtain the forms to claim a sales and use tax refund due to a "Federally Declared Disaster"?

Forms are available:

- a) on the Department's website at [www.revenue.ky.gov](http://www.revenue.ky.gov) under the subsection "Disaster Relief Sales and Use Tax Forms" (Forms 51A600, 51A601, and 51A602);
- b) by calling the Division of Sales and Use tax at (502) 564-5170, option 1; or
- c) at one of the 10 local Taxpayer Service Centers listed at the following link: <http://www.revenue.ky.gov/aboutus/taxpayerservicecenters.htm>

(Revised 7/15)